

REMARKS/ARGUMENTS

Claims have been amended to further clarify that the first carousel object can be used to abstract the channel used by the broadcaster to broadcast data. As noted in the specification, one advantage of the invention is that data access can be provided without requiring the receiver to know the exact location of data (see, for example, summary of the invention). Also, it should be noted that a "carousel file object can be instantiated without requiring a file locator," which identifies the channel number, carousel number, etc. (see, for example, specification pages 11-12).

In addition, claim language has been amended to further clarify that the claimed invention pertains to providing access to data which has been selected by a requester, a request to receive the selected data is initiated via a carousel object, and the selected data can be acquired from a storage and provided in response to instantiating the carousel object (see, for example, Fig. 5 and specification pages 11-14).

The Examiner's rejection is fully traversed for at least the following reasons:

a) **The cited art does NOT teach or suggest an object that encapsulates data transmitted by a broadcaster to abstract a channel used by the broadcaster to transmit data**

It is noted that *Balabarian* pertains to Digital Storage Media-Command and Control (DSM-CC) which is a ISO/IEC standard developed for delivering of multimedia broadband services (*Balabarian, Abstract*). It is also noted that *Balabarian* states that a "data carousel protocol area makes use of non-flow-controlled download messages to provide broadcast of data to a set of clients." (*Balabarian, page 126*). However, it is respectfully submitted that *Balabarian* states that "it is assumed that all data transfer parameters have been agreed upon a priori, and that the client knows on which broadcast channel to start listening for download control and data messages" (*Balabarian, page 126*). Accordingly, it is respectfully submitted that *Balabarian* does NOT teach or suggest an object that encapsulates data transmitted by a broadcaster to abstract a channel used by the broadcaster to transmit data.

As noted in the background of the present application, "a data carousel refers to a mechanism for cyclic transmission of data modules, for example, as defined by

MPEG-2 Digital Storage Medium Command and control (DSM-CC of ISO/IEC 13818-6) User-to-Network Download Protocol.” The claimed invention, however, provides a carousel object that can be used to access the DSM-CC. As noted in the specification, in one embodiment of the invention: “an application program or applet uses a Java TV Application Programming Interface (API) to interface a Virtual Machine running a Real-Time Operating System. The Java TV API provides access to DSM-CC object and data carousels via use of data access mechanisms defined in the JAVA.IO package.” (Specification, page 13).

Accordingly, it is respectfully submitted that *Balabanian* cannot possibly teach a carousel object that encapsulates data periodically transmitted by a broadcaster because, among other things, *Balabanian* teaches delivering of data to an agreed upon channel (*Balabanian*, page 126).

b) The cited art does NOT teach or suggest several other claimed features

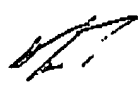
Furthermore, it is respectfully submitted that the cited art does NOT teach or suggest providing selected data via the carousel object which was discussed above. As such, the cited art cannot possibly teach or suggest any of the following operations: (a) determining whether a first selected data portion is available in a storage used to store periodically transmitted data in response to instantiating of a first carousel object, (b) acquiring a first selected data portion from the storage in response to the initiating of the request when it is determined that a first selected data portion is available in the storage, (c) providing access to the first selected data portion stored in the storage via the first carousel object when it is determined that the first selected data portion is available in the storage, (d) storing the first selected data portion in the storage, in response to the instantiating of the first carousel object, when it is determined that the first selected data portion is not available in said storage, (e) sending, to the requestor, a notification which indicates that the first selected data portion can be accessed via the first carousel object, when the first selected data portion is stored in the storage device and becomes available for access via the first carousel object, and (f) providing access to the first selected data portion stored in the storage via the first carousel object after said notification is sent.

CONCLUSION

Based on the foregoing, it is submitted that all pending claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. SUN1P504). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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